CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section §42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement for the below identified regulation.

AGENCY: Department of Environmental Management

DIVISION: Marine Fisheries

RULE IDENTIFIER: 250-RICR-90-00-23

RULE TITLE: Aggregate Program for Summer Flounder and Black Sea Bass

REASONS FOR NOT ACCEPTING ARGUMENTS MADE IN TESTIMONY AND COMMENTS: There were several elements of the proposed that were not supported by public comment or where alternative proposals were provided. The final rule adopted was consistent with the recommendation of the RI Marine Fisheries Council. The final rule also did not include inclusion of black sea bass into the Summer/Fall program as proposed consistent with the recommendation of the RI Marine Fisheries Council.

The Director's decision provides a full explanation as to the rationale behind the decision and is included in the final rule filing as a supporting document.

CHANGE TO TEXT FROM PROPOSED TO FINAL RULE (identify any changes between the text of the rule as proposed and the text of the final rule and explain why these changes were made to the final text): The final rule showing all adopted changes to the rule is submitted at time of filing as a supporting document.

REGULATORY ANALYSIS: In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.